

## 4.2: Social Conditions

### Chapter 4.2.1:

### Land Use

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#### 4.2.1-1 INTRODUCTION

This chapter describes land uses in the vicinity of the Project site and assesses the Project's consistency with existing and future development patterns and population characteristics. This chapter also provides a context for the analyses presented in subsequent chapters of this Draft Environmental Impact Statement (DEIS).

#### 4.2.1-2 METHODOLOGY

For this assessment, a study area extending approximately ¼ mile from the Project site was used (see **Figure 4.2.1-1**). This is the area where proposed changes to the railroad right-of-way have the greatest potential to affect nearby land uses. Where appropriate, the land use study area was adjusted to reflect natural boundaries. For the western study area boundary, the ¼-mile perimeter extends beyond the Letchworth State Park boundary on the west, and so the western boundary of the land use study area was adjusted to follow the park boundary, since the densely vegetated park creates a natural buffer between the rail right-of-way and any land uses west of the park.

The Project site and study area are located within two towns and two counties: the Town of Genesee Falls (which includes the hamlet of Portageville), in Wyoming County, and the Town of Portage, in Livingston County. For the demographics analysis, the study area encompasses the towns closest to the Project site: the Town of Genesee Falls (on the west side of the Project site) and the Town of Portage (on the east side of the Project site) (see **Figure 4.2.1-2**). For these areas, information was gathered from the U.S. Census Bureau's 1990, 2000, and 2010 Census. Household estimates for 2010 were obtained from ESRI Demographic and Income Profile Reports.

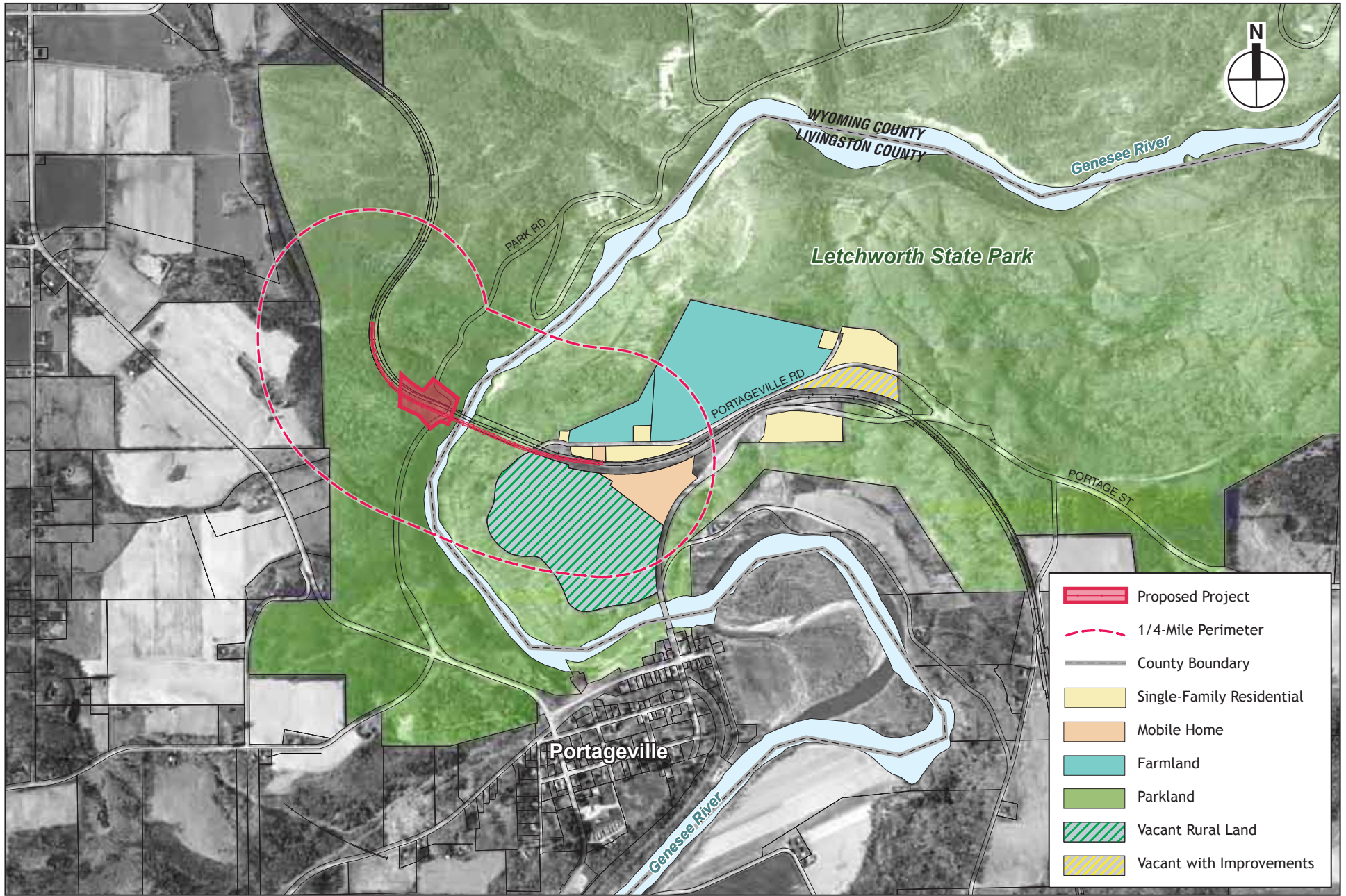
#### 4.2.1-3 EXISTING CONDITIONS

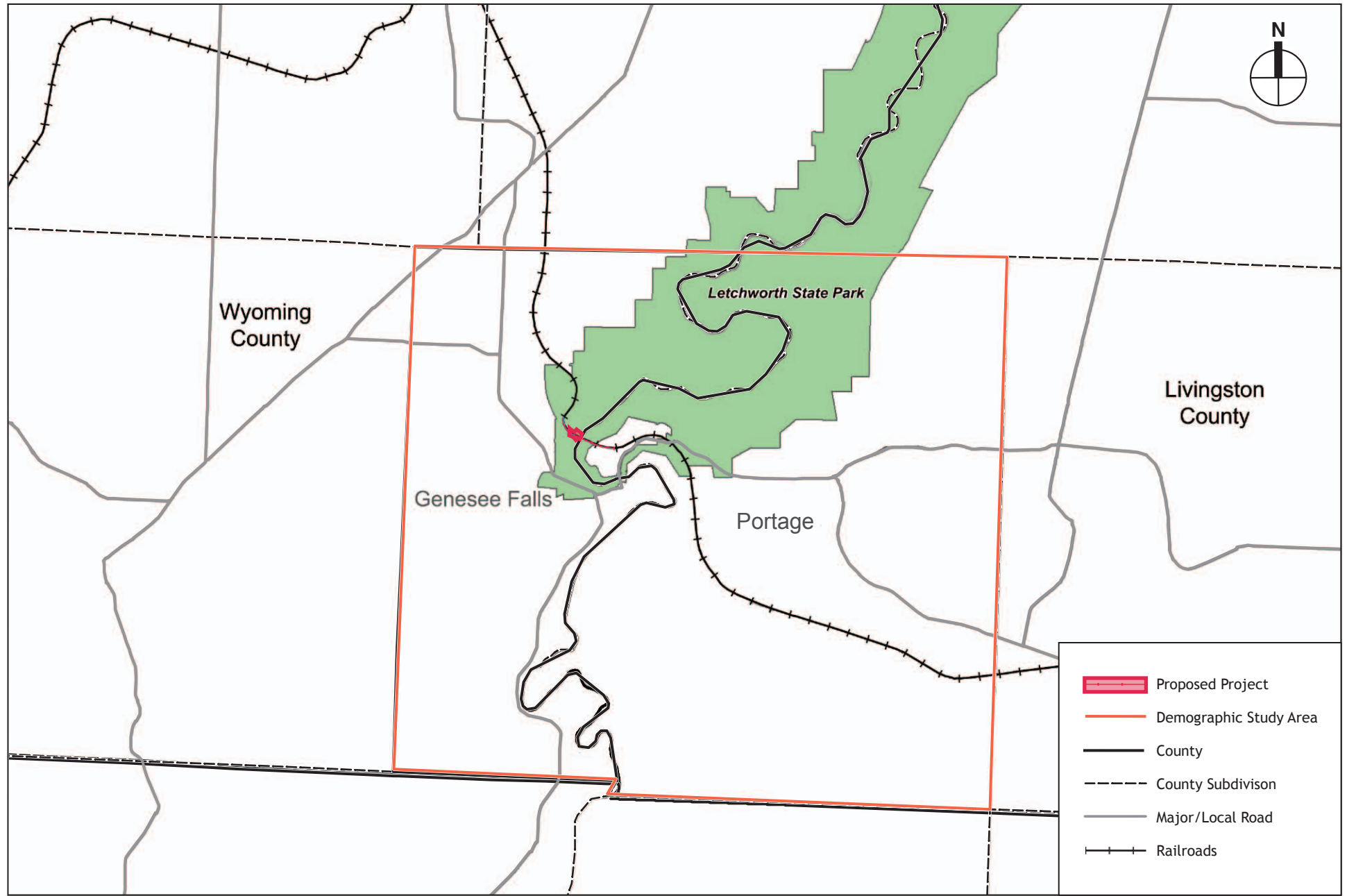
##### 4.2.1-3-1 Land Use

Land use within the ¼-mile study area is predominantly railroad right-of-way and a portion of Letchworth State Park (see **Figure 4.2.1-1**). In addition, east of the Genesee River, the study area includes residential dwellings, agricultural land, and vacant rural land.

##### *Letchworth State Park*

The existing bridge is located on private property within the boundaries of the larger Letchworth State Park. The bridge is at the southern end of Letchworth State Park, an approximately 14,350-acre park along the Genesee River in Wyoming and Livingston Counties. As described in more detail in Chapter 4.4.12, "Parks and Recreational Resources," the park is generally wooded with winding roads and hilly terrain. Within the park, the Genesee River flows from south to north through a deep gorge and over three waterfalls that are in the southern section of the park. The Upper Falls is the southernmost waterfall in the park and is just north of the existing bridge. Most of the developed park facilities are on the west side of the river. The south end of





0 4000 8000 FEET  
 SCALE  
 PORTAGEVILLE BRIDGE

Demographic Study Area  
 Figure 4.2.1-2

the park, including the study area, is notable for its scenery and a concentration of the park's historic structures and sites. According to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP), it is the most intensely used area of the park and supports the greatest number of visitors.

Within the land use study area, the main park road (known as Park Road) runs along the west side of the Genesee River and across the Norfolk Southern right-of-way beneath the existing bridge. Other recreational features within the ¼-mile study area west of the river include a small parking area, the Highbridge Parking Area, on the west side of Park Road just south of the bridge (on the Project site). Approximately half of the Highbridge Parking Area is within the Norfolk Southern right-of-way and half is on parkland. The Mary Jemison Trail (Trail #2 on OPRHP park maps) begins at the parking area (within Norfolk Southern's right-of-way) and can be accessed from there. Another trail, the Gorge Trail (Trail #1) is also accessible from the parking area. The Gorge Trail begins just south of the existing bridge, within Norfolk Southern right-of-way, passes beneath the bridge and continues along the western edge of the river between the road and the water. Farther north along the Gorge Trail, the viewing area at the Upper and Middle Falls Picnic Area, which provides views of the Upper Falls and existing bridge, is also within the land use study area. On the east side of the river, a walking trail (the Genesee Valley Greenway Trail, Trail #7) passes through the railroad right-of-way and beneath the existing bridge. No other developed park features fall within the study area on this side of the river.

#### *Land Use Outside the Park*

On the east side of the Genesee River, a portion of the ¼-mile study area is private property that is surrounded by, but not part of, Letchworth State Park (see **Figure 4.2.1-1**). Within the ¼-mile study area there are four single-family homes and a mobile home located along Portageville Road, which runs north of the railroad right-of-way, and an additional mobile home on the north side of Route 436. The balance of the private land in the study area (i.e., the land around these six residential units) is agricultural or vacant rural land. Just beyond the ¼-mile study area boundaries, there are three additional single-family homes, rural vacant land, and agricultural land within the private outparcels.

Access to the agricultural land in the study area on the east side of the river is from Portageville Road, which connects to Route 436 just beyond the railroad right-of-way almost a mile east of the Village of Portageville. Portageville Road extends across the Norfolk Southern rail right-of-way as an unpaved road that provides access to the vacant rural land on the south side of the right-of-way. It also provides access to the east side of Letchworth State Park for park employees and is not a public entrance.

Outside of the study area, the nearest village is the hamlet of Portageville (located within the Town of Genesee Falls). Portageville is along the south side of the park close to the Genesee River. This small hamlet has a small network of streets with residences and limited commercial development, including a gas station, two inns, a post office, and a church.

#### **4.2.1-3-2 Comprehensive Plans and Zoning**

Wyoming County and Livingston County do not have any comprehensive plans that encompass the study area, the hamlet of Portageville, or Letchworth State Park. The Town of Portage and the Town of Genesee Falls do not have zoning regulations.

### 4.2.1-3-3 Demographics and Affected Population

#### Population

In the demographics study area, the 2010 population is estimated to be 1,322 (see **Table 4.2.1-1**). This is similar to the 2000 population (1,319 residents) and slightly less than the 1990 population of 1,381. In comparison, the population of the bi-county region (Wyoming and Livingston Counties together) increased slightly (see **Table 4.2.1-1**).

**Table 4.2.1-1**  
**Population (1990, 2000, and 2010)**

Geographic Area	1990	2000	2010	Percent Change	
				1990-2000	2000-2010
Study Area	1,381	1,319	1,322	-4.5%	0.2%
Portage	893	859	884	-3.8%	2.9%
Genesee Falls	488	460	438	-5.7%	-4.8%
Bi-County Region	104,879	107,752	107,548	2.7%	-0.2%
Livingston County	62,372	64,328	65,393	3.1%	1.7%
Wyoming County	42,507	43,424	42,155	2.2%	-2.9%
<b>Sources:</b> 1990 and 2000 U.S. Census, Summary File 1; and 2010 Census Redistricting Data Summary File.					

#### Households

In 2010, there are an estimated 494 households in the study area. Approximately 63.2 percent of the households are in Portage and 36.8 percent are in Genesee Falls. As shown in **Table 4.2.1-2**, the number of households has been fairly constant since 1990, while the number of households in the bi-county region has increased slightly during that period.

**Table 4.2.1-2**  
**Households (1990, 2000, and 2010)**

Geographic Area	Total Households			Percent Change	
	1990	2000	Est. 2010	1990-2000	2000-2010
Study Area	486	478	494	-1.6%	3.3%
Portage	312	308	312	-1.3%	1.3%
Genesee Falls	174	170	182	-2.3%	7.1%
Bi-County Region	35,094	37,056	37,155	5.6%	0.3%
Livingston County	21,197	22,150	22,420	4.5%	1.2%
Wyoming County	13,897	14,906	14,735	7.3%	-1.1%
<b>Sources:</b> 1990 and 2000 U.S. Census, Summary File 1; 2010 estimates were obtained from ESRI Demographic and Income Profile Reports.					

The average household size in the study area in 2010 is 2.70 people per household. This is higher than the average household size in the bi-county region (2.56 people per household). In both the study area and the bi-county region, the average household size has decreased between 1990 and 2010.



### *Income and Poverty*

Information on the income characteristics of the study area is provided in Chapter 4.2.3, "Social Groups Benefitted or Harmed."

## **4.2.1-4 EFFECTS ASSESSMENT**

### **4.2.1-4-1 No Action Alternative**

#### *Land Use*

The No Action Alternative would result in no changes to land use from existing conditions. Norfolk Southern would not acquire any new private land or parkland. This alternative would avoid the need to acquire parkland and private rural vacant land. Norfolk Southern would also not transfer its existing property to the park. With no change from existing conditions, there would be no effects to land use in the study area.

#### *Comprehensive Plans and Zoning*

Since Wyoming County and Livingston County do not have comprehensive plans for the study area, and since the Town of Portage and the Town of Genesee Falls do not have zoning regulations, these would not be affected under any Project alternatives. In addition, the application of any such plans and regulations to the Project would be pre-empted by federal law.

#### *Demographics and Affected Population*

The No Action Alternative would not affect the population characteristics of the demographics study area.

### **4.2.1-4-2 Preferred Alternative**

#### *Land Use*

The Preferred Alternative would shift the railroad right-of-way approximately 75 feet south of the existing bridge. This would convert to rail use some land that is currently parkland and vacant rural land that is in close proximity to the existing rail right-of-way.

With the Preferred Alternative, Norfolk Southern would acquire parkland to be used for the new right-of-way and to provide sufficient area around the bridge for construction, access for inspection and maintenance, and security. Norfolk Southern would transfer existing right-of-way to OPRHP to become part of Letchworth State Park, as required by Section 6(f) of the Land and Water Conservation Fund Act of 1964. The park area that would be affected consists predominantly of wooded land that is already in close proximity to the existing rail right-of-way (for more information, see Chapter 6, "Section 6(f) Evaluation"). As described in Chapter 4.4.9, "General Ecology and Wildlife Resources," use of this land would require removal of trees and other vegetation.

As described in Chapter 3, "Project Alternatives," as part of the Project, the Highbridge Parking Area, which is currently south of the railroad tracks and bridge, would be shifted to the north side of the new bridge and enlarged to accommodate more park patrons. In addition, Park Road would be shifted slightly westward as it passes beneath the bridge, and the trailheads for the Mary Jemison and Gorge Trails would be relocated slightly. These changes would not change the land use of the study area, and would not adversely affect these park features (for more

information on effects on park features, see Chapter 4.4.12, “Parks and Recreational Resources”).

The new right-of-way, like the existing right-of-way, would pass above Park Road and the Gorge Trail (on the west side of the river) and Genesee Valley Greenway Trail (on the east side). These park facilities would not be affected by the presence of the right-of-way (for information on effects to these trails during construction, see Chapter 4.5, “Construction Impacts”). Other park uses within the land use study area would not be affected by the new bridge in the Preferred Alternative. For a discussion of changes to view from the scenic overlook at the south end of the Upper and Middle Falls Picnic Area, see Chapter 4.13, “Visual Resources.”

Outside of the park, the Preferred Alternative would affect a small area of privately owned land on the east side of the Genesee River. Norfolk Southern would acquire less than an acre of private land to accommodate the eastern approach to the new bridge. The private landowner would be compensated by Norfolk Southern. This land is currently vacant, and its conversion to railroad right-of-way would not adversely affect the overall use of the area, particularly since this area represents a very small portion of the 60.3-acre lot. The private dirt road that crosses the rail right-of-way in this area would remain in place, and the at-grade crossing would be shifted slightly farther south.

The area of railroad right-of-way that would be transferred to OPRHP would cease to be used for transportation purposes and therefore would be subject to the State’s preferential right to acquire abandoned railroad property under New York State Transportation Law § 18. It is anticipated that the New York State Department of Transportation would assign the right to acquire this property to OPRHP.

Overall, the Preferred Alternative would shift a transportation land use slightly farther south than its existing location. For adjacent and nearby portions of the surrounding study area, this slight shift would not result in a change in terms of land use compatibility. The rail right-of-way would be shifted slightly farther from the nearest residential use on Portageville Road, and would remain adjacent to parkland regardless of the shift. Overall, the change would not have an adverse effect on land uses in the study area.

#### *Comprehensive Plans and Zoning*

Since Wyoming County and Livingston County do not have comprehensive plans that affect the study area, and since the Town of Portage and the Town of Genesee Falls do not have zoning regulations, the Preferred Alternative would have no impact on comprehensive plans or zoning. In addition, the application of any such plans and regulations to the Project would be pre-empted by federal law.

#### *Demographics and Affected Population*

The slight shift in the railroad alignment proposed in the Preferred Alternative would not adversely affect the population characteristics of the demographics study area.

### **4.2.1-5 SUMMARY OF MITIGATION**

The Preferred Alternative would convert some parkland to transportation use, but replacement land will be provided to Letchworth State Park as required by Section 6(f). A small parking lot (the Highbridge Parking Area) would be relocated within close proximity to its current location, and would continue to serve as an access point to two trails. The trailheads for two trails near the bridge would also be shifted slightly, as would Park Road. These changes would not adversely affect land use or recreational features in the study area.